

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 542

97TH GENERAL ASSEMBLY

1170S.03T

2013

AN ACT

To repeal sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, 413.225, 640.725, and 644.052, RSMo, and to enact in lieu thereof eleven new sections relating to agriculture.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 64.196, 178.550, 196.311, 267.655, 323.100, 348.521, 413.225, 640.725, and 644.052, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 64.196, 178.550, 196.311, 262.598, 262.900, 267.655, 323.100, 348.521, 413.225, 640.725, and 644.052, to read as follows:

64.196. **1.** After August 28, 2001, any county seeking to adopt a building code in a manner set forth in section 64.180 shall, in creating or amending such code, adopt a current, calendar year 1999 or later edition, nationally recognized building code, as amended.

2. No county building ordinance so adopted shall conflict with liquefied petroleum gas installations governed by section 323.020.

178.550. [The president of the state board of education shall annually appoint a committee of five members to be known as the "State Advisory Committee for Vocational Education". The state advisory committee shall consist of one person of experience in agriculture; one employer; one representative of labor; one person of experience in home economics; one person of experience in commerce. The state commissioner of education is ex officio a member and the chairman of the advisory committee. The state board of education shall formulate general principles and policies for the administration of sections 178.420 to 178.580, which, when they have been approved by the state advisory committee, shall be put into effect.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 Joint conferences between the state board of education and advisory committee shall be held at
10 least four times each year. All members of the state advisory committee shall be reimbursed for
11 their actual expenses in attending the conferences.] **1. This section shall be known and may
12 be cited as the career and technical education student protection act. There is hereby
13 established the "Career and Technical Education Advisory Council" within the
14 department of elementary and secondary education.**

15 **2. The advisory council shall be composed of eleven members who shall be Missouri
16 residents, appointed by the governor with the advice and consent of the senate:**

17 **(1) A director or administrator of a career and technical education center;**

18 **(2) An individual from the business community with a background in commerce;**

19 **(3) A representative from Linn State Technical College;**

20 **(4) Three current or retired career and technical education teachers who also serve
21 or served as an advisor to any of the nationally-recognized career and technical education
22 student organizations of:**

23 **(a) DECA;**

24 **(b) Future Business Leaders of America (FBLA);**

25 **(c) FFA;**

26 **(d) Family, Career and Community Leaders of America (FCCLA);**

27 **(e) Health Occupations Students of America (HOSA);**

28 **(f) SkillsUSA; or**

29 **(g) Technology Student Association (TSA);**

30 **(5) A representative from a business organization, association of businesses, or a
31 business coalition;**

32 **(6) A representative from a Missouri community college;**

33 **(7) A representative from Southeast Missouri State University or the University of
34 Central Missouri;**

35 **(8) An individual participating in an apprenticeship recognized by the department
36 of labor and industrial relations or approved by the United States Department of Labor's
37 Office of Apprenticeship;**

38 **(9) A school administrator or school superintendent of a school that offers career
39 and technical education.**

40 **3. Members shall serve a term of five years except for the initial appointments,
41 which shall be for the following lengths:**

42 **(1) One member shall be appointed for a term of one year;**

43 **(2) Two members shall be appointed for a term of two years;**

44 **(3) Two members shall be appointed for a term of three years;**

45 **(4) Three members shall be appointed for a term of four years;**

46 **(5) Three members shall be appointed for a term of five years.**

47 **4. The advisory council shall have three nonvoting ex-officio members:**

48 **(1) A director of guidance and counseling services at the department of elementary**
49 **and secondary education, or a similar position if such position ceases to exist;**

50 **(2) The director of the division of workforce development; and**

51 **(3) A member of the coordinating board for higher education, as selected by the**
52 **coordinating board.**

53 **5. The assistant commissioner for the office of college and career readiness of the**
54 **department of elementary and secondary education shall provide staff assistance to the**
55 **advisory council.**

56 **6. The advisory council shall meet at least four times annually. The advisory**
57 **council may make all rules it deems necessary to enable it to conduct its meetings, elect its**
58 **officers, and set the terms and duties of its officers. The advisory council shall elect from**
59 **among its members a chairperson, vice chairperson, a secretary-reporter, and such other**
60 **officers as it deems necessary. Members of the advisory council shall serve without**
61 **compensation but may be reimbursed for actual expenses necessary to the performance of**
62 **their official duties for the advisory council.**

63 **7. Any business to come before the advisory council shall be available on the**
64 **advisory council's internet website at least seven business days prior to the start of each**
65 **meeting. All records of any decisions, votes, exhibits, or outcomes shall be available on the**
66 **advisory council's internet website within forty-eight hours following the conclusion of**
67 **every meeting. Any materials prepared for the members shall be delivered to the members**
68 **at least five days before the meeting, and to the extent such materials are public records**
69 **as defined in section 610.010 and are not permitted to be closed under section 610.021, shall**
70 **be made available on the advisory council's internet website at least five business days in**
71 **advance of the meeting.**

72 **8. The advisory council shall make an annual written report to the state board of**
73 **education and the commissioner of education regarding the development, implementation,**
74 **and administration of the state budget for career and technical education.**

75 **9. The advisory council shall annually submit written recommendations to the state**
76 **board of education and the commissioner of education regarding the oversight and**
77 **procedures for the handling of funds for student career and technical education**
78 **organizations.**

79 **10. The advisory council shall:**

80 **(1) Develop a comprehensive statewide short- and long-range strategic plan for**
81 **career and technical education;**

82 **(2) Identify service gaps and provide advice on methods to close such gaps as they**
83 **relate to youth and adult employees, workforce development, and employers on training**
84 **needs;**

85 **(3) Confer with public and private entities for the purpose of promoting and**
86 **improving career and technical education;**

87 **(4) Identify legislative recommendations to improve career and technical education;**

88 **(5) Promote coordination of existing career and technical education programs;**

89 **(6) Adopt, alter, or repeal by its own bylaws, rules, and regulations governing the**
90 **manner in which its business may be transacted.**

91 **11. For purposes of this section, the department of elementary and secondary**
92 **education shall provide such documentation and information as to allow the advisory**
93 **council to be effective.**

94 **12. For purposes of this section, "advisory council" shall mean the career and**
95 **technical education advisory council.**

 196.311. Unless otherwise indicated by the context, when used in sections 196.311 to
2 196.361:

3 (1) "Consumer" means any person who purchases eggs for his or her own family use or
4 consumption; or any restaurant, hotel, boardinghouse, bakery, or other institution or concern
5 which purchases eggs for serving to guests or patrons thereof, or for its own use in cooking,
6 baking, or manufacturing their products;

7 (2) "Container" means any box, case, basket, carton, sack, bag, or other receptacle.
8 "Subcontainer" means any container when being used within another container;

9 (3) "Dealer" means any person who purchases eggs from the producers thereof, or
10 another dealer, for the purpose of selling such eggs to another dealer, a processor, or retailer;

11 (4) "Denatured" means eggs (a) made unfit for human food by treatment or the addition
12 of a foreign substance, or (b) with one-half or more of the shell's surface covered by a permanent
13 black, dark purple or dark blue dye;

14 (5) "Director" means the director of the department of agriculture;

15 (6) "Eggs" means [eggs in the shell from chickens] **the shell eggs of a domesticated**
16 **chicken, turkey, duck, goose, or guinea that are intended for human consumption;**

17 (7) "Inedible eggs" means eggs which are defined as such in the rules and regulations of
18 the director adopted under sections 196.311 to 196.361, which definition shall conform to the
19 specifications adopted therefor by the United States Department of Agriculture;

20 (8) "Person" means and includes any individual, firm, partnership, exchange, association,
21 trustee, receiver, corporation or any other business organization, and any member, officer or
22 employee thereof;

23 (9) "Processor" means any person engaged in breaking eggs or manufacturing or
24 processing egg liquids, whole egg meats, yolks, whites, or any mixture of yolks and whites, with
25 or without the addition of other ingredients, whether chilled, frozen, condensed, concentrated,
26 dried, powdered or desiccated;

27 (10) "Retailer" means any person who sells eggs to a consumer;

28 (11) "Sell" means offer for sale, expose for sale, have in possession for sale, exchange,
29 barter, or trade.

262.598. 1. As used in this section, the following terms shall mean:

2 (1) "Consolidated district", a district formed jointly by two or more councils;

3 (2) "Council", a University of Missouri extension council authorized under section
4 **262.563;**

5 (3) "District" or "extension district", a political subdivision formed by one or more
6 councils;

7 (4) "Single-council district", a district formed by one council;

8 (5) "Governing body", the group of individuals who govern a district.

9 **2. University of Missouri extension councils, except for any council located in a**
10 **county with a charter form of government and with more than nine hundred fifty thousand**
11 **inhabitants, are hereby authorized to form extension districts made up of cooperating**
12 **counties for the purpose of funding extension programming. An extension district may be**
13 **a single-council district or a consolidated district. A single-council district shall be formed**
14 **upon a majority vote of the full council. A consolidated district shall be formed upon a**
15 **majority vote of each participating council.**

16 **3. In a single-council district, the council shall serve as the district's governing**
17 **body. In addition to any other powers and duties granted to the council under sections**
18 **262.550 to 262.620, the council shall also have the powers and duties provided under**
19 **subsection 5 of this section.**

20 **4. In a consolidated district, the governing body of the district shall consist of at**
21 **least three, but no more than five, representatives appointed by each participating council.**
22 **The term of office shall be two years. Representatives may be reappointed. The governing**
23 **body shall elect officers, who shall serve as officers for two years, and establish a regular**
24 **meeting schedule which shall not be less than once every three months.**

25 **5. The governing body of a district shall have the following powers and duties:**

26 (1) Review the activities and annual budgets of each participating council;

27 (2) Determine, by September first of each year, the tax rate necessary to generate
28 sufficient revenue to fund the extension programming in the district, which includes annual
29 funding for each participating council for the costs of personnel and the acquisition,
30 supply, and maintenance of each council's property, work, and equipment;

31 **(3) Oversee the collection of any tax authorized under this section by ensuring the**
32 **revenue is deposited into a special fund and monitoring the use of the funds to ensure they**
33 **are used solely for extension programming in the district;**

34 **(4) Approve payments from the special fund in which the tax revenue is deposited;**
35 **and**

36 **(5) Work cooperatively with each participating council to plan and facilitate the**
37 **programs, equipment, and activities in the district.**

38 **6. The governing body of a district may submit a question to the voters of the**
39 **district to institute a property tax levy in the county or counties that compose the district.**
40 **Questions may be submitted to the voters of the district at any general municipal election.**
41 **Any such proposed tax shall not exceed thirty cents per one hundred dollars of assessed**
42 **valuation. The costs of submitting the question to the voters at the general municipal**
43 **election shall be paid as provided in section 115.063. Such question shall be submitted in**
44 **substantially the following form:**

45 **"Shall the Extension District in County (insert name of county) be authorized**
46 **to levy an annual tax of (insert amount not to exceed thirty) cents per one hundred**
47 **dollars of assessed valuation for the purpose of funding the University of Missouri**
48 **Extension District programs, equipment, and services in the district?"**

49 **In a single-council district, if a majority of the voters in the county approve the question,**
50 **then the district shall impose the tax. If a majority of the voters in a single-council district**
51 **do not approve the question, then no tax shall be imposed. In a consolidated district, if a**
52 **majority of voters in each county in the district approve the question, then the district shall**
53 **impose the tax. If a majority of the voters in a consolidated district do not approve the**
54 **question, then no tax shall be imposed in any county of the district. In a consolidated**
55 **district, if a majority of voters in a county do not approve the question, the council in the**
56 **county that did not approve the question may withdraw from the district. Upon such**
57 **withdrawal, the district shall be made up of the remaining counties and the tax shall be**
58 **imposed in those counties. However, if the county that did not approve the question does**
59 **not withdraw from the district, the tax shall not be imposed. Revenues collected from the**
60 **imposition of a tax authorized under this section shall be deposited into a special fund**
61 **dedicated only for use by the local district for programming purposes.**

62 **7. The county commission of any county in which the tax authorized under this**
63 **section is levied and collected:**

64 **(1) Shall be exempt from the funding requirements under section 262.597 if revenue**
65 **derived from the tax authorized under this section is in excess of an amount equal to two**
66 **hundred percent of the average funding received under section 262.597 for the immediately**
67 **preceding three years; or**

68 **(2) May reduce the current year's funding amount under section 262.597 by thirty-**
69 **three percent of the amount of tax revenues derived from the tax authorized under this**
70 **section which exceed the average amount of funding received under section 262.597 for the**
71 **immediately preceding three years.**

72 **8. Any county that collects tax revenues authorized under this section shall transfer**
73 **all attributable revenue plus monthly interest for deposit into the district's special fund.**
74 **The governing body of the district shall comply with the prudent investor standard for**
75 **investment fiduciaries as provided in section 105.688.**

76 **9. In any county in which a single-council district is established, and for which a**
77 **tax has not been levied, the district may be dissolved in the same manner in which it was**
78 **formed.**

79 **10. A county may withdraw from a consolidated district at any time by the filing**
80 **of a petition with the circuit court having jurisdiction over the district. The petition shall**
81 **be signed by not fewer than ten percent of those who voted in the most recent presidential**
82 **election in the county seeking to withdraw that is part of a consolidated district stating that**
83 **further operation of the district is contrary to the best interest of the inhabitants of the**
84 **county in which the district is located and that the county seeks to withdraw from the**
85 **district. The circuit court shall hear evidence on the petition. If the court finds that it is**
86 **in the best interest of the inhabitants of the county in which the district is located for the**
87 **county to withdraw from the district, the court shall make an order reciting the same and**
88 **submit the question to the voters. The costs of submitting the question to the voters at the**
89 **general municipal election shall be paid as provided in section 115.063. The question shall**
90 **be submitted in substantially the following format:**

91 **"Shall the County of (insert name of county) being part of (insert name**
92 **of district) Extension District withdraw from the district?"**

93 **The question shall be submitted at the next general municipal election date. The election**
94 **returns shall be certified to the court. If the court finds that two-thirds of the voters voting**
95 **on the question voted in favor of withdrawing from the district, the court shall issue an**
96 **order withdrawing the county from the district, which shall contain a proviso that the**
97 **district shall remain intact for the sole purposes of paying all outstanding and lawful**
98 **obligations and disposing of the district's property. No additional costs or obligations for**
99 **the withdrawing county shall be created except as necessary. The withdrawal shall occur**
100 **on the first day of the following January after the vote. If the court finds that two-thirds**
101 **of the voters voting on the question shall not have voted favorably on the question to**
102 **withdraw from the district, the court shall issue an order dismissing the petition and the**
103 **district shall continue to operate.**

11. The governing body of any district may seek voter approval to increase its current tax rate authorized under this section, provided such increase shall not cause the total tax to exceed thirty cents per one hundred dollars of assessed valuation. To propose such an increase, the governing body shall submit the question to the voters at the general municipal election in the county in which the district is located. The costs of submitting the question to the voters at the general municipal election shall be paid as provided in section 115.063. The question shall be submitted in substantially the following form:

"Shall the Extension District in (insert name of county or counties) be authorized to increase the tax rate from (insert current amount of tax) cents to (insert proposed amount of tax not to exceed thirty) cents per one hundred dollars of assessed valuation for the purpose of funding the University of Missouri Extension District programs, equipment, and services in the district?"

In a single-council district, if a majority of the voters in the county approve the question, then the district shall impose the tax. If a majority of the voters in a single-council district do not approve the question, then the tax shall not be imposed. In a consolidated district, if a majority of voters in the district approve the question, then the district shall impose the new tax rate. If a majority of the voters in a consolidated district do not approve the question, then the tax shall not be imposed in any county of the district. Revenues collected from the imposition of the tax authorized under this section shall be deposited into the special fund dedicated only for use by the district.

262.900. 1. As used in this section, the following terms mean:

(1) "Agricultural products", an agricultural, horticultural, viticultural, or vegetable product, growing of grapes that will be processed into wine, bees, honey, fish or other aquacultural product, planting seed, livestock, a livestock product, a forestry product, poultry or a poultry product, either in its natural or processed state, that has been produced, processed, or otherwise had value added to it in this state;

(2) "Blighted area", that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate, or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes;

(3) "Department", the department of agriculture;

(4) "Domesticated animal", cattle, calves, sheep, swine, ratite birds including but not limited to ostrich and emu, llamas, alpaca, buffalo, elk documented as obtained from a legal source and not from the wild, goats, or horses, other equines, or rabbits raised in confinement for human consumption;

(5) "Grower UAZ", a type of UAZ:

- 18 (a) That can either grow produce, raise livestock, or produce other value added
19 agricultural products;
- 20 (b) That does not exceed fifty laying hens, six hundred fifty broiler chickens, or
21 thirty domesticated animals;
- 22 (6) "Livestock", cattle, calves, sheep, swine, ratite birds including but not limited
23 to ostrich and emu, aquatic products as defined in section 277.024, llamas, alpaca, buffalo,
24 elk documented as obtained from a legal source and not from the wild, goats, or horses,
25 other equines, or rabbits raised in confinement for human consumption;
- 26 (7) "Locally grown", a product that was grown or raised in the same county or city
27 not within a county in which the UAZ is located or in an adjoining county or city not
28 within a county. For a product raised or sold in a city not within a county, locally grown
29 also includes an adjoining county with a charter form of government with more than nine
30 hundred fifty thousand inhabitants and those adjoining said county;
- 31 (8) "Processing UAZ", a type of UAZ:
- 32 (a) That processes livestock or poultry for human consumption;
- 33 (b) That meets federal and state processing laws and standards;
- 34 (c) Is a qualifying small business approved by the department;
- 35 (9) "Meat", any edible portion of livestock or poultry carcass or part thereof;
- 36 (10) "Meat product", anything containing meat intended for or capable of use for
37 human consumption, which is derived, in whole or in part, from livestock or poultry;
- 38 (11) "Poultry", any domesticated bird intended for human consumption;
- 39 (12) "Qualifying small business", those enterprises which are established within
40 an Urban Agricultural Zone subsequent to its creation, and which meet the definition
41 established for the Small Business Administration and set forth in Section 121.301 of Part
42 121 of Title 13 of the Code of Federal Regulations;
- 43 (13) "Value added agricultural products", any product or products that are the
44 result of:
- 45 (a) Using an agricultural product grown in this state to produce a meat or dairy
46 product in this state;
- 47 (b) A change in the physical state or form of the original agricultural product;
- 48 (c) An agricultural product grown in this state which has had its value enhanced
49 by special production methods such as organically grown products; or
- 50 (d) A physical segregation of a commodity or agricultural product grown in this
51 state that enhances its value such as identity preserved marketing systems;
- 52 (14) "Urban agricultural zone" or "UAZ", a zone within a metropolitan statistical
53 area as defined by the United States Office of Budget and Management that has one or

54 more of the following entities that is a qualifying small businesses, and approved by the
55 department, as follows:

- 56 (a) Any organization or person who grows produce or other agricultural products;
- 57 (b) Any organization or person that raises livestock or poultry;
- 58 (c) Any organization or person who processes livestock or poultry;
- 59 (d) Any organization that sells at a minimum seventy-five percent locally grown
60 food;

61 (15) "Vending UAZ", a type of UAZ:

- 62 (a) That sells produce, meat, or value added locally grown agricultural goods;
- 63 (b) That is able to accept food stamps under the provisions of the Supplemental
64 Nutrition Assistance Program as a form of payment; and
- 65 (c) Is a qualifying small business that is approved by the department for an UAZ
66 vendor license.

67 2. (1) A person or organization shall submit to any incorporated municipality an
68 application to develop an UAZ on a blighted area of land. Such application shall
69 demonstrate or identify on the application:

70 (a) If the person or organization is a grower UAZ, processing UAZ, vending UAZ,
71 or a combination of all three types of UAZs provided in this paragraph, in which case the
72 person or organization shall meet the requirements of each type of UAZ in order to
73 qualify;

74 (b) The number of jobs to be created;

75 (c) The types of products to be produced; and

76 (d) If applying for a vending UAZ, the ability to accept food stamps under the
77 provisions of the Supplemental Nutrition Assistance Program if selling products to
78 consumers.

79 (2) A municipality shall review and modify the application as necessary before
80 either approving or denying the request to establish an UAZ.

81 (3) Approval of the UAZ by such municipality shall be reviewed five and ten years
82 after the development of the UAZ. After twenty-five years, the UAZ shall dissolve. If the
83 municipality finds during its review that the UAZ is not meeting the requirements set out
84 in this section, the municipality may dissolve the UAZ.

85 3. The governing body of any municipality planning to seek designation of an
86 urban agricultural zone shall establish an urban agricultural zone board. The number of
87 members on the board shall be seven. One member of the board shall be appointed by the
88 school district or districts located within the area proposed for designation of an urban
89 agricultural zone. Two members of the board shall be appointed by other affected taxing
90 districts. The remaining four members shall be chosen by the chief elected officer of the

91 municipality. The four members chosen by the chief elected officer of the municipality
92 shall all be residents of the county or city not within a county in which the UAZ is to be
93 located, and at least one of such four members shall have experience in or represent
94 organizations associated with sustainable agriculture, urban farming, community
95 gardening, or any of the activities or products authorized by this section for UAZs.

96 4. The school district member and the two affected taxing district members shall
97 each have initial terms of five years. Of the four members appointed by the chief elected
98 official, two shall have initial terms of four years, and two shall have initial terms of three
99 years. Thereafter, members shall serve terms of five years. Each member shall hold office
100 until a successor has been appointed. All vacancies shall be filled in the same manner as
101 the original appointment. For inefficiency or neglect of duty or misconduct in office, a
102 member of the board may be removed by the applicable appointing authority.

103 5. A majority of the members shall constitute a quorum of such board for the
104 purpose of conducting business and exercising the powers of the board and for all other
105 purposes. Action may be taken by the board upon a vote of a majority of the members
106 present.

107 6. The members of the board annually shall elect a chair from among the members.

108 7. The role of the board shall be to conduct the activities necessary to advise the
109 governing body on the designation of an urban agricultural zone and any other advisory
110 duties as determined by the governing body. The role of the board after the designation
111 of an urban agricultural zone shall be review and assessment of zone activities.

112 8. Prior to the adoption of an ordinance proposing the designation of an urban
113 agricultural zone, the urban agricultural board shall fix a time and place for a public
114 hearing and notify each taxing district located wholly or partially within the boundaries
115 of the proposed urban agricultural zone. The board shall send, by certified mail, a notice
116 of such hearing to all taxing districts and political subdivisions in the area to be affected
117 and shall publish notice of such hearing in a newspaper of general circulation in the area
118 to be affected by the designation at least twenty days prior to the hearing but not more
119 than thirty days prior to the hearing. Such notice shall state the time, location, date, and
120 purpose of the hearing. At the public hearing any interested person or affected taxing
121 district may file with the board written objections to, or comments on, and may be heard
122 orally in respect to, any issues embodied in the notice. The board shall hear and consider
123 all protests, objections, comments, and other evidence presented at the hearing. The
124 hearing may be continued to another date without further notice other than a motion to
125 be entered upon the minutes fixing the time and place of the subsequent hearing.

126 **9. Following the conclusion of the public hearing required under subsection 8 of**
127 **this section, the governing authority of the municipality may adopt an ordinance**
128 **designating an urban agricultural zone.**

129 **10. The real property of the UAZ shall not be subject to assessment or payment of**
130 **ad valorem taxes on real property imposed by the cities affected by this section, or by the**
131 **state or any political subdivision thereof, for a period of up to twenty-five years as specified**
132 **by ordinance under subsection 9 of this section, except to such extent and in such amount**
133 **as may be imposed upon such real property during such period, as was determined by the**
134 **assessor of the county in which such real property is locate, or, if not located within a**
135 **county, then by the assessor of such city, in an amount not greater than the amount of taxes**
136 **due and payable thereon during the calendar year preceding the calendar year during**
137 **which the urban agricultural zone was designated. The amounts of such tax assessments**
138 **shall not be increased during such period so long as the real property is used in**
139 **furtherance of the activities provided under the provisions of subdivision (13) of subsection**
140 **1 of this section. At the conclusion of the period of abatement provided by the ordinance,**
141 **the property shall then be reassessed. If only a portion of real property is used as an UAZ,**
142 **then only that portion of real property shall be exempt from assessment or payment of ad**
143 **valorem taxes on such property, as provided by this section.**

144 **11. If the water services for the UAZ are provided by the municipality, the**
145 **municipality may authorize a grower UAZ to pay wholesale water rates. If available, for**
146 **the cost of water consumed on the UAZ and pay fifty percent of the standard cost to hook**
147 **onto the water source.**

148 **12. (1) Any local sales tax revenues received from the sale of agricultural products**
149 **sold in the UAZ shall be deposited in the urban agricultural zone fund established in**
150 **subdivision (2) of this subsection. An amount equal to one percent shall be retained by the**
151 **director of revenue for deposit in the general revenue fund to offset the costs of collection.**

152 **(2) There is hereby created in the state treasury the "Urban Agricultural Zone**
153 **Fund", which shall consist of money collected under subdivision (1) of this subsection. The**
154 **state treasurer shall be custodian of the fund. In accordance with sections 30.170 and**
155 **30.180, the state treasurer may approve disbursements. The fund shall be a dedicated fund**
156 **and, upon appropriation, shall be used for the purposes authorized by this section.**
157 **Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining**
158 **in the fund at the end of the biennium shall not revert to the credit of the general revenue**
159 **fund. The state treasurer shall invest moneys in the fund in the same manner as other**
160 **funds are invested. Any interest and moneys earned on such investments shall be credited**
161 **to the fund. School districts may apply to the department for money in the fund to be used**
162 **for the development of curriculum on or the implementation of urban farming practices**

under the guidance of the University of Missouri extension service and a certified vocational agricultural instructor. The funds are to be distributed on a competitive basis within the school district or districts in which the UAZ is located pursuant to rules to be promulgated by the department, with special consideration given to the relative number of students eligible for free and reduced-price lunches attending the schools within such district or districts.

13. Any rule or portion of a rule, as that term is defined in section 536.010 that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

14. The provisions of this section shall not apply to any county with a charter form of government and with more than three hundred thousand but fewer than four hundred fifty thousand inhabitants.

267.655. In addition to the remedies provided for in sections 267.560 to 267.660 by law, the following civil penalties may be imposed:

(1) If the department director determines, after inquiry and opportunity for a hearing, that any individual is in violation of any provision of sections 267.560 to 267.660, or any regulations issued thereunder, the director shall have the authority to assess a civil penalty of not more than one thousand dollars per incident. In the event that a person penalized or ordered to pay restitution under this section fails to pay the penalty or restitution, the director may apply to the circuit court of Cole County for, and the court is authorized to enter, an order enforcing the assessed penalty or restitution;

(2) The prosecuting attorney of any county in which a violation of any provisions of sections 267.560 to 267.660 occurs or the attorney general of the state, is hereby authorized to apply to any court of competent jurisdiction for, and such court shall have jurisdiction upon hearing and for cause shown to grant a temporary or permanent injunction to restrain any person from violating any provisions of sections 267.560 to 267.660.

323.100. 1. The director of the department of agriculture shall annually inspect and test all liquid meters used for the measurement and retail sale of liquefied petroleum gas and shall condemn all meters which are found to be inaccurate. All meters shall meet the tolerances and specifications of the National Institute of Standards and Technology Handbook 44, 1994 edition and supplements thereto. It is unlawful to use a meter for retail measurement and sale which has been condemned. All condemned meters shall be conspicuously marked "inaccurate", and the

7 mark shall not be removed or defaced except upon authorization of the director of the department
8 of agriculture or his authorized representative. It is the duty of each person owning or in
9 possession of a meter to pay to the director of the department of agriculture at the time of each
10 test a testing fee of ten dollars[, except that the testing fee herein provided for shall not be
11 applied more than once in a calendar year to each meter tested]. **On January 1, 2014, the**
12 **testing fee shall be twenty-five dollars. On January 1, 2015, the testing fee shall be set at**
13 **fifty dollars. On January 1, 2016, and annually thereafter, the director shall ascertain the**
14 **total expenses for administering this section and shall set the testing fee at a rate to cover**
15 **the expenses for the ensuing year but not to exceed seventy-five dollars.**

16 **2. On the first day of October 2014, and each year thereafter, the director of the**
17 **department of agriculture shall submit a report to the general assembly that states the**
18 **current testing fee, the expenses for administering this section for the previous calendar**
19 **year, any proposed change to the testing fee, and estimated expenses for administering this**
20 **section during the ensuing year. The proposed change to the testing fee shall not yield**
21 **revenue greater than the total cost of administering this section during the ensuing year.**

22 **3. Beginning August 28, 2013, and each year thereafter, the director of the**
23 **department of agriculture shall publish the testing fee schedule on the departmental**
24 **website. The website shall be updated within thirty days of a change in the testing fee**
25 **schedule set forth in this section.**

348.521. 1. The authority may issue certificates of guaranty covering a first loss
2 guarantee up to but not more than fifty percent of the loan on a declining principal basis for loans
3 to individuals executing a note or other evidence of a loan made for livestock feed and crop
4 input, but not to exceed the amount of [forty] **one hundred** thousand dollars for any one
5 individual and to pay from the livestock feed and crop input loan guarantee fund to an eligible
6 lender up to fifty percent of the amount on a declining principal basis of any loss on any
7 guaranteed loan made under the provisions of sections 348.515 to 348.533, in the event of
8 default on the loan. Upon payment of the loan, the authority shall be subrogated to all the rights
9 of the eligible lender.

10 **2. As used in sections 348.515 to 348.533, the term "eligible lender" means those entities**
11 **defined as lenders under subdivision (8) of section 348.015.**

12 **3. The authority shall charge for each guaranteed loan a one-time participation fee of**
13 **fifty dollars which shall be collected by the lender at the time of closing and paid to the authority.**
14 **In addition, the authority may charge a special loan guarantee fee of up to one percent per annum**
15 **of the outstanding principal which shall be collected from the borrower by the lender and paid**
16 **to the authority. Amounts so collected shall be deposited in the livestock feed and crop input**
17 **loan program fund and used, upon appropriation, to pay the costs of administering the program.**

18 4. All moneys paid to satisfy a defaulted guaranteed loan shall only be paid out of the
19 livestock feed and crop input loan guarantee fund established by sections 348.515 to 348.533.

20 5. The total outstanding guaranteed loans shall at no time exceed an amount which,
21 according to sound actuarial judgment, would allow immediate redemption of twenty percent of
22 the outstanding loans guaranteed by the fund at any one time.

 413.225. 1. There is established a fee for registration, inspection and calibration services
2 performed by the division of weights and measures. The fees are due at the time the service is
3 rendered and shall be paid to the director by the person receiving the service. The director shall
4 collect fees according to the following schedule and shall deposit them with the state treasurer
5 into [general revenue for the use of the state of Missouri] **the agriculture protection fund as**
6 **set forth in section 261.200:**

7 (1) From August 28, [1994] **2013**, until the next January first, laboratory fees for
8 metrology calibrations shall be at the rate of [twenty-five] **sixty** dollars per hour for tolerance
9 testing [and thirty-five dollars per hour for] **or** precision calibration. Time periods over one hour
10 shall be computed to the nearest **one quarter** hour. On the first day of January, [1995] **2014**, and
11 each year thereafter, the director of agriculture shall ascertain the total receipts and expenses for
12 the metrology calibrations during the preceding year and shall fix a fee schedule for the ensuing
13 year at a rate per hour [which shall not exceed sixty dollars per hour for either method but shall
14 not be less than twenty-five dollars per hour for tolerance testing and thirty-five dollars per hour
15 for precision calibration,] as will yield revenue not more than the total cost of operating the
16 metrology laboratory during the ensuing year, **but not to exceed one hundred and twenty-five**
17 **dollars;**

18 (2) [From August 28, 1994, until the next January first,] All [scale] **device** test fees [shall
19 be] charged [as follows] **shall include, but not be limited to, the following devices:**

20 (a) Small scales [shall be five dollars for each counter scale, ten dollars for platform
21 scales up to one thousand-pound capacity, and twenty dollars for each platform scale over one
22 thousand-pound capacity];

23 (b) Vehicle scales [shall be fifty dollars each for the initial test and seventy-five dollars
24 for each subsequent test within the same calendar year];

25 (c) Livestock scales [shall be seventy-five dollars each for the initial test, and one
26 hundred dollars for each subsequent test within the same calendar year];

27 (d) Hopper scales [with a capacity of one thousand pounds or less shall be ten dollars
28 each; for each hopper scale with a capacity of more than one thousand pounds up to and
29 including two thousand pounds, the fee shall be twenty dollars; for each hopper scale with a
30 capacity of more than two thousand pounds up to and including ten thousand pounds, the fee

31 shall be fifty dollars; and for those hopper scales with a capacity of more than ten thousand
32 pounds, the test fee shall be seventy-five dollars each];

33 (e) Railroad scales [shall be fifty dollars each];

34 (f) Monorail scales [shall be twenty-five dollars each for the initial test and fifty dollars
35 for each subsequent test in the same calendar year];

36 (g) [Participation in on-site field evaluations of devices for National Type Evaluation
37 Program certification and all tests of] In-motion scales including but not limited to vehicle,
38 railroad and belt conveyor scales [will be charged at the rate of thirty dollars per hour, plus
39 mileage from the inspector's official domicile to and from the inspection site. The time shall
40 begin when the state inspector performing the inspection arrives at the site to be inspected and
41 shall end when the final report is signed by the owner/operator and the inspector departs];

42 [(3) From August 28, 1994, until the next January first, certification of]

43 (h) Taximeters [shall be five dollars per meter];

44 (i) Timing devices[, five dollars per device];

45 (j) Fabric-measuring devices[,] ;

46 (k) Wire- and cordage-measuring devices[, five dollars per device];

47 (l) Milk for quantity determination[, twenty-five dollars per plant inspected]; **and**

48 [(4) From August 28, 1994, until the next January first, certification of]

49 (m) Vehicle tank meters [shall be twenty-five dollars each for the initial test and fifty
50 dollars for each subsequent test in the same calendar year];

51 **(3) Devices that require participation in on-site field evaluations for National Type**
52 **Evaluation Program Certification and all tests of in-motion scales shall be charged a fee,**
53 **plus mileage from the inspector's official domicile to and from the inspection site. The time**
54 **shall begin when the state inspector performing the inspection arrives at the site to be**
55 **inspected and shall end when the final report is signed by the owner/operator and the**
56 **inspector departs;**

57 [(5)] **(4)** Every person shall register each location of such person's place of business
58 where devices or instruments are used to ascertain the moisture content of grains and seeds
59 offered for sale, processing or storage in this state with the director and shall pay a registration
60 fee [of ten dollars] for each location so registered and a fee [of five dollars] for each additional
61 device or instrument at such location. Thereafter, by January thirty-first of each year, each
62 person who is required to register pursuant to this subdivision shall pay an annual fee [of ten
63 dollars] for each location so registered and an additional [five dollars] **fee** for each additional
64 machine at each location. The fee on newly purchased devices shall be paid within thirty days
65 after the date of purchase. Application for registration of a place of business shall be made on
66 forms provided by the director and shall require information concerning the make, model and

67 serial number of the device and such other information as the director shall deem necessary.
68 Provided, however, this subsection shall not apply to moisture-measuring devices used
69 exclusively for the purpose of obtaining information necessary to manufacturing processes
70 involving plant products. In addition to fees required by this subdivision, a fee [of ten dollars]
71 shall be charged for each device subject to retest.

72 2. On the first day of January, 1995, and each year thereafter, the director of agriculture
73 shall ascertain the total receipts and expenses for the testing of weighing and measuring devices
74 referred to in subdivisions (2), (3), **and (4) [and (5)]** of subsection 1 of this section and shall fix
75 the fees or rate per hour for such weighing and measuring devices to derive revenue not more
76 than the total cost of the operation[, but such fees shall not be fixed in amounts less than the
77 amounts contained in subdivisions (2), (3), (4) and (5) of subsection 1 of this section].

78 3. [Except as indicated in paragraphs (b), (c), and (f) of subdivision (2) and subdivisions
79 (4) and (5) of subsection 1,] **On the first day of October 2014, and each year thereafter, the**
80 **director of the department of agriculture shall submit a report to the general assembly that**
81 **states the current laboratory fees for metrology calibration, the expenses for administering**
82 **this section for the previous calendar year, any proposed change to the laboratory fee**
83 **structure, and estimated expenses for administering this section during the ensuing year.**
84 **The proposed change to the laboratory fee structure shall not yield revenue greater than**
85 **the total cost of administering this section during the ensuing year.**

86 4. **Beginning August 28, 2013, and each year thereafter, the director of the**
87 **department of agriculture shall publish the laboratory fee schedule on the departmental**
88 **website. The website shall be updated within thirty days of a change in the laboratory fee**
89 **schedule set forth in this section.**

90 5. Retests for any device within the same calendar year will be charged at the same rate
91 as the initial test. Devices being retested in the same calendar year as a result of rejection and
92 repair are exempt from the requirements of this subsection.

93 [4.] 6. All device inspection fees shall be paid within thirty days of the issuance of the
94 original invoice. Any fee not paid within ninety days after the date of the original invoice will
95 be cause for the director to deem the device as incorrect and it may be condemned and taken out
96 of service, and may be seized by the director until all fees are paid.

97 [5.] 7. No fee provided for by this section shall be required of any person owning or
98 operating a moisture-measuring device or instrument who uses such device or instrument solely
99 in agricultural or horticultural operations on such person's own land, and not in performing
100 services, whether with or without compensation, for another person.

640.725. 1. The owner or operator of any flush system animal waste wet handling
2 facility shall employ one or more persons who shall **once per week** visually inspect the [animal

3 waste wet handling facility and lagoons for unauthorized discharge and structural integrity at
4 least every twelve hours with a deviation of not to exceed three hours] **gravity outfall lines,**
5 **recycle pump stations, recycle force mains, and appurtenances for any release to any**
6 **containment structure required by section 640.730. The owner or operator shall also**
7 **visually inspect once per day any lagoon whose water level is less than twelve inches from**
8 **the emergency spillway.** The owner or operator of the facility shall keep records of each
9 inspection. Such records shall be retained for three years. The department shall provide or
10 approve a form provided by the owner or operator for each facility for such inspections.

11 2. All new construction permits for flush system animal waste wet handling facilities
12 shall have an electronic or mechanical shutoff of the system in the event of pipe stoppage. As
13 of July 1, 1997, all existing flush system animal waste wet handling facilities shall have, at a
14 minimum, an electronic or mechanical shutoff of the system in the event of pipe stoppage or
15 backflow.

644.052. 1. Persons with operating permits or permits by rule issued pursuant to this
2 chapter shall pay fees pursuant to subsections 2 to 8 and 12 to 13 of this section. Persons with
3 a sewer service connection to public sewer systems owned or operated by a city, public sewer
4 district, public water district or other publicly owned treatment works shall pay a permit fee
5 pursuant to subsections 10 and 11 of this section.

6 2. A privately owned treatment works or an industry which treats only human sewage
7 shall annually pay a fee based upon the design flow of the facility as follows:

- 8 (1) One hundred dollars if the design flow is less than five thousand gallons per day;
- 9 (2) One hundred fifty dollars if the design flow is equal to or greater than five thousand
10 gallons per day but less than six thousand gallons per day;
- 11 (3) One hundred seventy-five dollars if the design flow is equal to or greater than six
12 thousand gallons per day but less than seven thousand gallons per day;
- 13 (4) Two hundred dollars if the design flow is equal to or greater than seven thousand
14 gallons per day but less than eight thousand gallons per day;
- 15 (5) Two hundred twenty-five dollars if the design flow is equal to or greater than eight
16 thousand gallons per day but less than nine thousand gallons per day;
- 17 (6) Two hundred fifty dollars if the design flow is equal to or greater than nine thousand
18 gallons per day but less than ten thousand gallons per day;
- 19 (7) Three hundred seventy-five dollars if the design flow is equal to or greater than ten
20 thousand gallons per day but less than eleven thousand gallons per day;
- 21 (8) Four hundred dollars if the design flow is equal to or greater than eleven thousand
22 gallons per day but less than twelve thousand gallons per day;
- 23 (9) Four hundred fifty dollars if the design flow is equal to or greater than twelve
24 thousand gallons per day but less than thirteen thousand gallons per day;

25 (10) Five hundred dollars if the design flow is equal to or greater than thirteen thousand
26 gallons per day but less than fourteen thousand gallons per day;

27 (11) Five hundred fifty dollars if the design flow is equal to or greater than fourteen
28 thousand gallons per day but less than fifteen thousand gallons per day;

29 (12) Six hundred dollars if the design flow is equal to or greater than fifteen thousand
30 gallons per day but less than sixteen thousand gallons per day;

31 (13) Six hundred fifty dollars if the design flow is equal to or greater than sixteen
32 thousand gallons per day but less than seventeen thousand gallons per day;

33 (14) Eight hundred dollars if the design flow is equal to or greater than seventeen
34 thousand gallons per day but less than twenty thousand gallons per day;

35 (15) One thousand dollars if the design flow is equal to or greater than twenty thousand
36 gallons per day but less than twenty-three thousand gallons per day;

37 (16) Two thousand dollars if the design flow is equal to or greater than twenty-three
38 thousand gallons per day but less than twenty-five thousand gallons per day;

39 (17) Two thousand five hundred dollars if the design flow is equal to or greater than
40 twenty-five thousand gallons per day but less than thirty thousand gallons per day;

41 (18) Three thousand dollars if the design flow is equal to or greater than thirty thousand
42 gallons per day but less than one million gallons per day; or

43 (19) Three thousand five hundred dollars if the design flow is equal to or greater than
44 one million gallons per day.

45 3. Persons who produce industrial process wastewater which requires treatment and who
46 apply for or possess a site-specific permit shall annually pay:

47 (1) Five thousand dollars if the industry is a class IA animal feeding operation as defined
48 by the commission; or

49 (2) For facilities issued operating permits based upon categorical standards pursuant to
50 the Federal Clean Water Act and regulations implementing such act:

51 (a) Three thousand five hundred dollars if the design flow is less than one million gallons
52 per day; or

53 (b) Five thousand dollars if the design flow is equal to or greater than one million gallons
54 per day.

55 4. Persons who apply for or possess a site-specific permit solely for industrial storm
56 water shall pay an annual fee of:

57 (1) One thousand three hundred fifty dollars if the design flow is less than one million
58 gallons per day; or

59 (2) Two thousand three hundred fifty dollars if the design flow is equal to or greater than
60 one million gallons per day.

61 5. Persons who produce industrial process wastewater who are not included in subsection
62 2 or 3 of this section shall annually pay:

63 (1) One thousand five hundred dollars if the design flow is less than one million gallons
64 per day; or

65 (2) Two thousand five hundred dollars if the design flow is equal to or greater than one
66 million gallons per day.

67 6. Persons who apply for or possess a general permit shall pay:

68 (1) Three hundred dollars for the discharge of storm water from a land disturbance site;

69 (2) Fifty dollars annually for the operation of a chemical fertilizer or pesticide facility;

70 (3) One hundred fifty dollars for the operation of an animal feeding operation or a
71 concentrated animal feeding operation;

72 (4) One hundred fifty dollars annually for new permits for the discharge of process water
73 or storm water potentially contaminated by activities not included in subdivisions (1) to (3) of
74 this subsection. Persons paying fees pursuant to this subdivision with existing general permits
75 on August 27, 2000, and persons paying fees pursuant to this subdivision who receive renewed
76 general permits on the same facility after August 27, 2000, shall pay sixty dollars annually;

77 (5) Up to two hundred fifty dollars annually for the operation of an aquaculture facility.

78 7. Requests for modifications to state operating permits on entities that charge a service
79 connection fee pursuant to subsection 10 of this section shall be accompanied by a two hundred
80 dollar fee. The department may waive the fee if it is determined that the necessary modification
81 was either initiated by the department or caused by an error made by the department.

82 8. Requests for state operating permit modifications other than those described in
83 subsection 7 of this section shall be accompanied by a fee equal to twenty-five percent of the
84 annual operating fee assessed for the facility pursuant to this section. **However, requests for**
85 **modifications for such operating permits that seek name changes, address changes, or**
86 **other nonsubstantive changes to the operating permit shall be accompanied by a fee of one**
87 **hundred dollars.** The department may waive the fee if it is determined that the necessary
88 modification was either initiated by the department or caused by an error made by the
89 department.

90 9. Persons requesting water quality certifications in accordance with Section 401 of the
91 Federal Clean Water Act shall pay a fee of seventy-five dollars and shall submit the standard
92 application form for a Section 404 permit as administered by the U.S. Army Corps of Engineers
93 or similar information required for other federal licenses and permits, except that the fee is
94 waived for water quality certifications issued and accepted for activities authorized pursuant to
95 a general permit or nationwide permit by the U.S. Army Corps of Engineers.

96 10. Persons with a direct or indirect sewer service connection to a public sewer system
97 owned or operated by a city, public sewer district, public water district, or other publicly owned

98 treatment works shall pay an annual fee per water service connection as provided in this
99 subsection. Customers served by multiple water service connections shall pay such fee for each
100 water service connection, except that no single facility served by multiple connections shall pay
101 more than a total of seven hundred dollars per year. The fees provided for in this subsection
102 shall be collected by the agency billing such customer for sewer service and remitted to the
103 department. The fees may be collected in monthly, quarterly or annual increments, and shall be
104 remitted to the department no less frequently than annually. The fees collected shall not exceed
105 the amounts specified in this subsection and, except as provided in subsection 11 of this section,
106 shall be collected at the specified amounts unless adjusted by the commission in rules. The
107 annual fees shall not exceed:

108 (1) For sewer systems that serve more than thirty-five thousand customers, forty cents
109 per residential customer as defined by the provider of said sewer service until such time as the
110 commission promulgates rules defining the billing procedure;

111 (2) For sewer systems that serve equal to or less than thirty-five thousand but more than
112 twenty thousand customers, fifty cents per residential customer as defined by the provider of said
113 sewer service until such time as the commission promulgates rules defining the billing
114 procedure;

115 (3) For sewer systems that serve equal to or less than twenty thousand but more than
116 seven thousand customers, sixty cents per residential customer as defined by the provider of said
117 sewer service until such time as the commission promulgates rules defining the billing
118 procedure;

119 (4) For sewer systems that serve equal to or less than seven thousand but more than one
120 thousand customers, seventy cents per residential customer as defined by the provider of said
121 sewer service until such time as the commission promulgates rules defining the billing
122 procedure;

123 (5) For sewer systems that serve equal to or less than one thousand customers, eighty
124 cents per residential customer as defined by the provider of said sewer service until such time
125 as the commission promulgates rules defining the billing procedure;

126 (6) Three dollars for commercial or industrial customers not served by a public water
127 system as defined in chapter 640;

128 (7) Three dollars per water service connection for all other customers with water service
129 connections of less than or equal to one inch excluding taps for fire suppression and irrigation
130 systems;

131 (8) Ten dollars per water service connection for all other customers with water service
132 connections of more than one inch but less than or equal to four inches, excluding taps for fire
133 suppression and irrigation systems;

134 (9) Twenty-five dollars per water service connection for all other customers with water
135 service connections of more than four inches, excluding taps for fire suppression and irrigation
136 systems.

137 11. Customers served by any district formed pursuant to the provisions of section 30(a)
138 of article VI of the Missouri Constitution shall pay the fees set forth in subsection 10 of this
139 section according to the following schedule:

140 (1) From August 28, 2000, through September 30, 2001, customers of any such district
141 shall pay fifty percent of such fees; and

142 (2) Beginning October 1, 2001, customers of any such districts shall pay one hundred
143 percent of such fees.

144 12. Persons submitting a notice of intent to operate pursuant to a permit by rule shall pay
145 a filing fee of twenty-five dollars.

146 13. For any general permit issued to a state agency for highway construction pursuant
147 to subdivision (1) of subsection 6 of this section, a single fee may cover all sites subject to the
148 permit.

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